

661—205.100(135C) Residential care facilities.

205.100(1) Definitions. The following definitions apply to rule 661—205.100(135C):

“Existing residential care facility” means a residential care facility which has been in continuous operation since before April 1, 2004.

“New residential care facility” means a residential care facility which begins operation on or after April 1, 2004.

“NFPA” means the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269. References to the form “NFPA xx,” where “xx” is a number, refer to the NFPA standard or pamphlet of the corresponding number.

“Residential care facility” means a facility that is licensed or seeking licensure by the department of inspections and appeals as a residential care facility pursuant to the provisions of Iowa Code section 135C.6, or has been identified by the department of inspections and appeals as a facility that requires licensure as a residential care facility pursuant to Iowa Code section 135C.6.

205.100(2) New residential care facilities. NFPA 101, Life Safety Code, 2003 edition, Chapter 18, “New Health Care Facilities,” is adopted by reference as the rules governing new residential care facilities. For purposes of this subrule, a residential care facility is a “limited care facility” as defined in NFPA 101, Life Safety Code, 2003 edition, Section 3.3.69.2.

205.100(3) Existing residential care facilities. NFPA 101, Life Safety Code, 2003 edition, Chapter 19, “Existing Health Care Facilities,” is adopted by reference as the rules governing existing residential care facilities. For purposes of this subrule, a residential care facility is a “limited care facility” as defined in NFPA 101, Life Safety Code, 2003 edition, Section 3.3.69.2.

EXCEPTION: Existing residential care facilities which were approved by the fire marshal on or before March 11, 2003, pursuant to rules 661—5.550(100) to 5.552(100) and which have been in continuous operation since on or before March 11, 2003, may continue to operate in compliance with rules 661—5.550(100) to 5.552(100) as those rules existed on March 10, 2003.

NOTE: Rules 661—5.550(100) to 5.552(100) were rescinded effective March 11, 2003.

This rule is intended to implement Iowa Code sections 100.35 and 135C.9.